

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Maresh

Art Unit: 3764

Serial No: 10/634,136

Examiner: Crow

Filed: 08/04/03

Title: EXERCISE APPARATUS WITH ELLIPTICAL FOOT MOTION

Certificate of Mailing

I hereby certify that this COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE is being sent via First Class mail, postage prepaid, to the M.S. Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27th day of December, 2004.


Mark A. Krull

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

M.S. Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The statement of reasons for allowance concludes by stating that "an elliptical stepping path, rather than an elliptical striding path is produced." Applicant respectfully questions why this statement was included in the statement of reasons for allowance, and neither understands nor agrees with its application to the allowed claims. In this regard, the allowed claims say nothing about a stepping path or a striding path, but rather, recite that a heel portion of each foot supporting link does not initially rise at a faster rate than an opposite, toe portion of the same foot supporting link as that foot supporting link begins moving forward from a rearwardmost position relative to the frame.

In view of the foregoing, Applicant respectfully seeks clarification on the record to reflect that the allowed claims are

in no way limited to an elliptical stepping path or an elliptical striding path. As always, the Examiner is welcome to contact Applicant's undersigned representative at the telephone number set forth below to discuss any issue regarding the subject application.

Respectfully submitted,

MAK
Mark A. Krull
Reg. No. 34,205

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